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C O N F I D E N T I A L SECTION 01 OF 02 TEL AVIV 006021

SIPDIS

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TAGS: PREL PGOV KWBG IS SETTLEMENTS

SUBJECT: SASSON CALLS FOR U.S. TO "SAVE ISRAEL FROM HERSELF" - PRESS GOI TO IMPLEMENT HER REPORT

Classified By: DCM Gene A. Cretz for reasons 1.4 (b) and (d)

¶11. (C) Summary: EconCouns met with Talia Sasson (strictly protect) on September 28 to discuss implementation of her recommendations on curbing illegal settlement activities in the West Bank. Sasson reported a lack of progress in the inter-ministerial committee charged with implementing her recommendations, and said that the impediments to taking action are political, not legal. Finally, she stressed that U.S. pressure created the impetus for her report, and only U.S. pressure can move the GOI to implement its recommendations. End Summary.

Sasson Recommendations Unlikely to be Fully Adopted

¶12. (C) Talia Sasson, the attorney who, at the request of the Prime Minister, wrote the March 2005 report on illegal outpost activity in the territories, told EconCouns and EconOff on September 28 that she has participated in all of the inter-ministerial committee meetings from March through July that discussed her report, and fully explained her recommendations on curbing outpost activity to committee members. Noting that she was often put on the defensive, she said that her recommendations are unlikely to be fully adopted in the face of strong opposition from many committee members. Sasson surmised that Justice Minister Tzipi Livni, who chairs the committee, will reformulate her recommendations to make them "less stringent," but Sasson would not speculate on the result.

USG Should &Save Israel From Herself8

¶13. (C) In response to EconCouns' question as to the source of opposition to the recommendations in her report, Sasson replied that the "right-wingers don't like the report and will do whatever they can to stop the government from stopping outposts." She remarked that actions taken on outposts are connected to the larger political situation, and noted that the Prime Minister's win in the Likud Central Committee vote gives him time to figure out how to approach the issue. Sasson said she does not know the Prime Minister's intentions, but for now, "it's a time out." She confirmed that the Ministry of Defense (MOD) can dismantle or stop the expansion of outposts at any time, since the legal infrastructure to do so already exists. She stressed again that it is not a legal but rather a political issue, and that the MOD can act when it receives orders from the Prime Minister. When EconCouns mentioned that the MOD had earlier told emboffs that outposts would be dealt with in a different way after disengagement, Sasson was skeptical, commenting that the MOD people &have to defend themselves to U.S. officials.⁸ She said that her report was commissioned because of U.S. pressure, and that the GOI will not take any actions against outposts unless the U.S. pressures Israel again. She suggested that the USG "save Israel from herself."

¶14. (C) Sasson reported that none of her recommendations have to go through the Knesset to be implemented because the MOD and not the Knesset has jurisdiction over activity that takes place in the territories. (Note: MOD Adviser said to the Ambassador Septel that some of the the recommendations would require Knesset approval. End Note) Noting that her suggestions deal with both evacuating outposts and stopping new construction in them, she maintained that they ought not to be problematic, since the outposts are acknowledged to be illegal. However, she cited the Amona outpost as an example of where the MOD has yet to enforce a High Court ruling ordering the dismantling of nine permanent homes. Sasson commented that the inter-ministerial committee considering her report has not met since July, because committee members were busy tracking the disengagement plan, and said she does not know when the committee will propose its own legislation. She indicated that the committee has already written some informal recommendations, but she has not been permitted to see them.

Give the Defense Minister the Power to Approve Building

15. (C) According to Sasson, her most controversial recommendation suggests that the Defense Minister be the sole authority empowered to approve construction in the territories. Those opposing the idea claim that this would subject the Minister to heavy pressure from settlers. When asked if the Defense Minister did not already have to approve all West Bank building plans, Sasson responded that the Defense Minister's signature is not required for building on land that was privately owned before 1948. (Note: Post will follow-up to determine the accuracy of Sasson's claim. End note.)

Does the GOI Really Want to Evacuate Outposts?

16. (C) In response to EconCouns' question on whether a stronger legal framework would provide political cover to make removing outposts easier, Sasson responded that the question presumes that the GOI actually intends to remove outposts in the first place. She said that if watered-down legislation is passed, it could indicate a lack of political will to deal with the issue. She went on to say that she is unsure whether anyone in the government knows exactly what to do with the West Bank. She commented that Sharon's ideas and strategies seem to change depending on which group is pressuring him at a particular time.

Deadlines Keep Getting Extended

17. (C) Sasson remarked that the committee continues to extend the deadline for issuing its recommendations, and is now 30 days past its original 60-day extension. (Note: The committee was supposed to issue its recommendations in late June, but received an extension through late August. End note.) Sasson said that Livni will act if there is negative press, because she does not respond well to bad publicity. In addition, Sasson said that several well known reporters have assured her that they will not let her report drop from public discussion.

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JONES